

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BAYER HEALTHCARE AG, ALCON, INC.,	)	
and ALCON MANUFACTURING, LTD.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 06-234 SLR
	)	
TEVA PHARMACEUTICALS USA, INC.,	)	
	)	
Defendant.	)	
	)	
	)	

---

**NOTICE OF FED. R. CIV. P. 30(b)(6) DEPOSITION  
OF ALCON MANUFACTURING, LTD.**

TO:

Frederick L. Cottrell III, Esquire  
Jeffrey L. Moyer, Esquire  
Anne Shea Gaza, Esquire  
Richards, Layton & Finger, P.A.  
One Rodney Square  
920 North King Street  
Wilmington, DE 19801

Bruce R. Genderson, Esquire  
Adam L. Perlman, Esquire  
Aaron P. Maurer, Esquire  
David I. Berl, Esquire  
Dov P. Grossman, Esquire  
Williams & Connolly LLP  
725 Twelfth Street, N.W.  
Washington, D.C. 20005

PLEASE TAKE NOTICE that defendant Teva Pharmaceuticals USA, Inc., pursuant to Fed. R. Civ. P. 30(b)(6), will take the deposition of Alcon Manufacturing, Ltd. ("Alcon") at such place and time as may be agreed upon by counsel and continuing from day to day thereafter until completed. The deposition will be recorded stenographically and may be videotaped. One or more of defendant's counsel may appear telephonically. The deponent is not a natural person. Pursuant to Fed. R. Civ. P. 30(b)(6), Alcon is required to designate one or more persons to testify at the deposition as to the matters known or reasonably available to Alcon concerning all topics set forth in the attached Appendix A.

June 14, 2007

THE BAYARD FIRM

OF COUNSEL:

Bruce M. Gagala  
M. Daniel Hefner  
Brian A. Garcia  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
Chicago, Illinois 60601

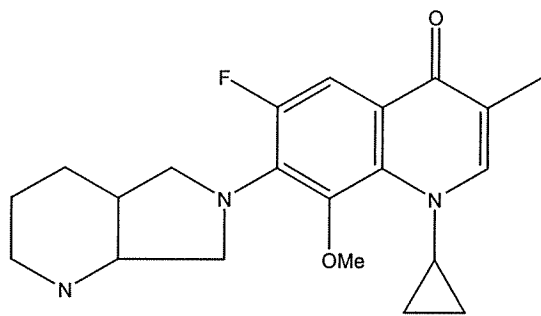
/s/ Richard D. Kirk (rk0922)  
Richard D. Kirk  
Ashley B. Stitzer  
222 Delaware Avenue, Suite 900  
P.O. Box 25130  
Wilmington, Delaware 19899  
(302) 655-5000  
rkirk@bayardfirm.com

*Attorneys for Defendant,  
TEVA PHARMACEUTICALS USA, INC.*

**Appendix A**  
**Topics for Alcon Deposition**  
**Pursuant to Fed. R. Civ. P. 30(b)(6)**

**Topics**

1. The conception and reduction to practice of U.S. Patent 6,716,830 B2.
2. The development and testing of the formulation currently marketed by Alcon under the trade name VIGAMOX®.
3. The synthesis and testing by Alcon of the compound portrayed at column 3, lines 38-48 of U.S. Patent 6,716,830 B2 as having the following structure:



**CERTIFICATE OF SERVICE**

The undersigned counsel certifies that, on June 14, 2007, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Frederick L. Cottrell III, Esquire  
Jeffrey L. Moyer, Esquire  
Anne Shea Gaza, Esquire  
Richards, Layton & Finger, P.A.  
One Rodney Square  
920 North King Street  
Wilmington, Delaware 19801

The undersigned counsel further certifies that, on June 14, 2007, copies of the foregoing document were sent by email and hand to the above local counsel and by email and first class mail to the following non-registered participant:

Bruce R. Genderson, Esquire  
Adam L. Perlman, Esquire  
Dov P. Grossman, Esquire  
David I. Berl, Esquire  
Aaron P. Maurer, Esquire  
Williams and Connolly  
725 Twelfth Street, N.W.  
Washington, D.C. 20005

/s/ Richard D. Kirk (rk0922)  
Richard D. Kirk